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February 9, 2012

Via E-Mail

Jonathan J. Lerner, Esq.
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4 Times Square
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RE: Rodriguez/Alford v City of New York
Our File No. 54816

Dear Counsel:

In response to the questions posed during our conference call last week regarding ESI, we provide the following information to you:

Back up policies for ACS e-mail and file servers.
NY State - E-mail

- Daily incremental back ups done for operating systems and application data
- Twice weekly full online back ups of Exchange data
- Online differentials (incrementals) for remaining days of week
- Back up tapes retained for 30 days and then rewritten

- NYS does not offer e-mail archiving services

NYC ACS - File Servers

- ACS hosts and backs up its own file servers.
- User home directories and some departmental shares also backed up by DoITT for redundancy.
- Backed up daily as incremental
- Full back up weekly on weekend
- Monthly tapes are retained for 6 months then rotated/recycled
- Weekly full (cumulative) and daily (incremental) tapes are retained for 3 months and then recycled
- In addition to the formal back up policy, ACS has retained one full back up per month (12 annually) going back about 5 years.

Date ranges of data collected :

For the five custodians collected the date ranges found in the data collected from them are as follows:

Pride, Deborah

E-mail: April 15, 2011 to November 28, 2011
Documents: October 7, 2008 to November 23, 2011

Rosado, Natalia

E-mail: October 7, 2008 to November 28, 2011
Documents: December 9, 2010 to January 31, 2012

Salemi, Robert

E-mail: April 4, 2002 to November 28, 2011
Documents: September 25, 2001 to November 28, 2011

Seargent, Zanette

E-mail: May 2010 to November 28, 2011
Documents: 1997-98 to November, 2011

Sosa, Rosa

E-mail: November 17, 2010 to November 28, 2011
Documents: June, 2006 to August, 2011

Please note that the date ranges provided does not necessary mean that there is a full set of everything that the user generated for that time period, but rather we have what is still "standing" at the time we collected. We will write to you separately regarding the issues discussed with the Magistrate regarding the Connections database.

Thank you.

Very truly yours,
Barry, McTiernan & Moore

Suzanne Halbardier

Suzanne M. Halbardier

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